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DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **CONTAINMENT PLENUM FOR LASER IRRADIATION AND REMOVAL OF MATERIAL FROM A SURFACE OF A STRUCTURE**; the specification of which was filed on **October 22, 2003** as Application Serial No. **10/690,975**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional applications listed below.

Application No.: 60/456,043

Filing Date: March 18, 2003

Application No.: 60/471,057

Filing Date: May 16, 2003

Application No.: 60/496,460

Filing Date: August 20, 2003

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States applications listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Related U.S.A. Applications

Application No.: 10/690,983

Filing Date: October 22, 2003

Status: Pending

Application No.: 10/690,833

Filing Date: October 22, 2003

Status: Pending

Application No.: 10/691,481

Filing Date: October 22, 2003

Status: Pending

Application No.: 10/691,444

Filing Date: October 22, 2003

Status: Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Paul E. Denney**

Inventor's signature 

Date 02/17/04

Residence: **3148 Walden Ravines, Columbus, Ohio 43221**

Citizenship: **United States**

Post Office Address: **Same**

Full name of second inventor: **Jay R. Eastman**

Inventor's signature 

Date 17 Feb 2004

Residence: **1227 Blacksmith Drive, Westerville, Ohio 43081**

Citizenship: **United States**

Post Office Address: **Same**

Full name of third inventor: **Paul M. Fallara**

Inventor's signature 

Date 02/17/04

Residence: **20 East Dunedin Road, Columbus, Ohio 43214**

Citizenship: **United States**

Post Office Address: **Same**

Full name of fourth inventor: **Andrew P. Joseph**

Inventor's signature 


Date 2-17-04

Residence: **2794 Salem Hills Court, Pickerington, Ohio 43147**

Citizenship: **United States**

Post Office Address: **Same**

Full name of fifth inventor: **John S. Phillips**

Inventor's signature 

Date 2/13/04

Residence: **7746 Glenmore Drive, Powell, Ohio 43065**

Citizenship: **United States**

Post Office Address: **Same**

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995



LOMASR.024A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Paul E. Denney et al
App. No.	:	10/690,975
Filed	:	October 22, 2003
For	:	CONTAINMENT PLENUM FOR LASER IRRADIATION AND REMOVAL OF MATERIAL FROM A SURFACE OF A STRUCTURE
Examiner	:	Unknown

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

App. No. : 10/690,975
Filed : October 22, 2003

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

LOMA LINDA UNIVERSITY MEDICAL CENTER

Dated: 2-19-04

By: Donald G. Pursley

Donald G. Pursley, DBA

Title: Senior Vice President and
Chief Financial Officer

Address: 24888 Prospect Street
Loma Linda, California 92350

H:\DOCS\BS\BSI-5215.DOC
020904

ASSIGNMENT

WHEREAS, We, Paul E. Denney, a United States citizen, residing at 3148 Walden Ravines, Columbus, Ohio 43221, Jay R. Eastman, a United States citizen, residing at 1227 Blacksmith Drive, Westerville, Ohio 43081, Paul M. Fallara, a United States citizen, residing at 20 East Dunedin Road, Columbus, Ohio 43214, Andrew P. Joseph, a United States citizen, residing at 2794 Salem Hills Court, Pickerington, Ohio 43147, and John S. Phillips, a United States citizen, residing at 7746 Glenmore Drive, Powell, Ohio 43065, have invented certain new and useful improvements in a CONTAINMENT PLENUM FOR LASER IRRADIATION AND REMOVAL OF MATERIAL FROM A SURFACE OF A STRUCTURE for which we have filed an application for Letters Patent in the United States, Application No. 10/690,975, filed on October 22, 2003;

AND WHEREAS, Loma Linda University Medical Center (hereinafter "ASSIGNEE"), with its principal place of business at 24888 Prospect Street, Loma Linda, California 92350, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this Feb day of Feb, 2004


Paul E. Denney

STATE OF Ohio

COUNTY OF Franklin

ss.

On 2-17-04, before me, Michelle R. Laverty, personally appeared Paul E. Denney personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

MICHELLE R. LAVERTY
Notary Public, State of Ohio
My Commission Expires 02-22-07

 COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 17 day of Feb, 2004

Jay R. Eastman
Jay R. Eastman

STATE OF Ohio

COUNTY OF Franklin

ss.

On 2-17-04, before me, Michelle R. Lavery, personally appeared Jay R. Eastman personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Michelle R. Lavery
Notary Signature

MICHELLE R. LAVERTY
Notary Public, State of Ohio
My Commission Expires 02-23-07

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 17 day of February, 2004

Paul M. Fallara
Paul M. Fallara

STATE OF Ohio

COUNTY OF Franklin

ss.

On 2-17-04, before me, Michelle R. Lavery, personally appeared Paul M. Fallara personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michelle R. Lavery
Notary Signature



MICHELLE R. LAVERTY
Notary Public, State of Ohio
My Commission Expires 02-23-07

 COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 17th day of February, 2004



Andrew P. Joseph

STATE OF Ohio }
COUNTY OF Franklin } ss.

On 2-17-04, before me, Michelle R. Lavery, personally appeared Andrew P. Joseph personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

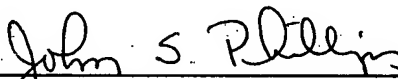
WITNESS my hand and official seal.

[SEAL]



Michelle R. Lavery
Notary Signature
MICHELLE R. LAVERTY
Notary Public, State of Ohio
My Commission Expires 02-23-07

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of February, 2004



John S. Phillips

STATE OF Ohio }
COUNTY OF Franklin } ss.

On 2-13-04, before me, Michelle R. Lavery, personally appeared John S. Phillips SML personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Michelle Lavery
Notary Signature



MICHELLE R. LAVERTY
Notary Public, State of Ohio
My Commission Expires 02-23-07